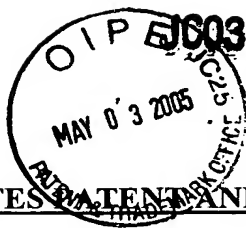


DOCKET NO.: 260364US PCT



1603 Rec'd PCT/PTO 03 MAY 2005

MAIL STOP PCT

PCT/\$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Tomoji MARUYAMA, et al.

SERIAL NUMBER: 10/511,441

FILED: October 25, 2004

FOR: ORGANISM TISSUE SUTURING APPARATUS

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

COMMISSIONER FOR PATENTS

Alexandria, VA 22313

SIR:

Responsive to the notification dated April 29, 2005, and in accordance with the provisions of 35 U.S.C. 371, Applicants submit herewith a Rule 63 Declaration

The required surcharge is paid herewith.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our credit card payment form in the amount of \$-130.00- is attached hereto. If any variance exists between the amount enclosed and the required Government fee, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136 and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

05/06/2005 WKAYPAGH 00000065 10511441

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130.00 OP

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Masayasu Mori  
Attorney of Record  
Registration No. 47,301  
Surinder Sachar  
Registration No. 34,423

**Customer No. 22850**  
**(703) 413-3000**



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/511,441	FIRST NAMED APPLICANT Tomoji Maruyama	ATTY. DOCKET NO. 260364US90PCT
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INTERNATIONAL APPLICATION NO. PCT/JP03/05406
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22850  
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

I.A. FILING DATE 04/25/2003	PRIORITY DATE 04/25/2002
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**CONFIRMATION NO. 9474**  
**371 FORMALITIES LETTER**



Date Mailed: 04/29/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/25/2004
- Copy of the International Search Report filed on 10/25/2004
- Preliminary Amendments filed on 10/25/2004
- Information Disclosure Statements filed on 10/25/2004
- Request for Immediate Examination filed on 10/25/2004
- Copy of references cited in ISR filed on 10/25/2004
- Priority Documents filed on 10/25/2004

RECEIVED: 5-2-05  
OBLON, SPIVAK, MCCLELLAND  
MAIER & NEUSTADT, P.C.

**DOCKETING DEPT.**  
Initials/Date Docketed: EX 5-2-05  
Type of Resp(s): DD / Surcharge  
Due Date(s): 6-29-05

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,441	PCT/JP03/05406	260364US90PCT